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09/182,745	10/28/1998	CHRISTOPHER CLEMMETT MACLEOD BECK	P3316	2355

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Technology Center 2100

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No. 39

Application Number: 09/182,745
Filing Date: October 28, 1998
Appellant(s): MACLEOD BECK ET AL.

Donald R. Boys
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 10/6/03.

(1)   Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2)   Related Appeals and Interferences

There is no related appeals or interferences in the instant case.

(3)   Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4)   Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection

contained in the brief is correct.

(5)   Summary of Invention

The summary of invention contained in the brief is correct.

(6)   Issues

The appellant's statement of the issues in the brief is correct.

(7)   Grouping of Claims

Appellant's state in the brief that the claims stand or fall together.

(8)   Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9)   Prior Art of Record

5,983,218	SYEDA-MAHMOOD	11-1999
6,052,514	GILL et al.	4-2000
5,956,729	GOETZ et al.	9-1999

(10)   Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-2, 6-7, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Syeda-Mahmood (US Pat No. 5,983,218, 11/9/99, referred as Syeda) in view of Gill et

al. (US Pat 6,052,514, 4/18/00, filed 1/18/95, priority 10/1/92).

Regarding independent claim 16, Syeda discloses:

- accessing and rendering media from multimedia files in a data repository (col 3,

   lines 61 to col 4, lines 1-30; col 1, lines 11-48; col 2, lines 13-23: the multimedia

   database is designed so that user can access the data by posing a query via

   interactive dialogue between the web client and multimedia database to retrieve the

   desired data)

- wherein the multimedia files include at least telephony, interactive voice response

   (IVR), and emails (col 11, lines 9-16: the fact that the multimedia content can be

   images, video, and audio, text suggests to include telephony, IVR, and emails in the

   multimedia files since telephony and IVR are forms of audio, and emails are forms of

   text)

Syeda does not disclose the code set for accessing and rendering media code from

multimedia files in a data repository as well as software modules providing functionality

for an Interactive Multimedia Application (IMA) and the *Interactive Multimedia Viewer*

(IMV). However, Syeda discloses *accessing various databases and presenting the*

multimedia files stored in the database repositories via the *interactive dialogue* (col 5,

line 20 to col 6, line 42 and col 4, lines 4-30: directing queries to relevant sites indicates

accessing these relevant sites to fetch the responses for the queries for presenting).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have modified Syeda to include the code set to perform said accessing

and rendering and the Interactive Multimedia Application because of the following

reason. The ability of performing accessing and rendering of Syeda implies that the

software program in Syeda should include related software modules as well as

associated codes implemented to perform these functions. Further, accessing and

rendering *multimedia data* via the *interactive* dialogue suggests that the application in

Syeda be an Interactive Multimedia Application.

Syeda also does not disclose limiting access to preselected media files.

Gill discloses limiting access to preselected media files (col 10, line 58 to col 11, line 35:

the access to the multimedia files such as articles, pictures is controlled and only

granted based on the access privileges of users).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Gill into Syeda since Gill provides limiting access to the

multimedia publication system, which is a form of databases, based on the access

privilege of each user and Syeda provides a system for accessing and rendering

multimedia data. The combination of Gill and Syeda would enhance the security of the

database repositories by controlling an amount of data to be retrieved based on the

user access privileges. Since Gill provides the limiting feature in accessing databases,

Gill inherently provides the selective control of accessing database repositories.

Furthermore, since Gill and Syeda disclose accessing and presenting media code from

multimedia files stored in a data repository and restricting access to multimedia files,

which are significant features of the Interactive Multimedia Application, it would have

been obvious to one of ordinary skill in the art at the time of the invention was made to

have employed Gill and Syeda *to joint their features together to assemble an Interactive*

Multimedia Application for a Multimedia Communication Center environment.

Regarding claim 17, which is dependent on claim 16, as in claim 16, Syeda does not

disclose one or more software interfaces to the first selectable software modules.

Instead Syeda discloses a user interface for database site selection (col 4, lines 19-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have modified Syeda to incorporate said software interfaces since the fact

that Syeda provides an interactive dialogue, which is an interface, for selecting

database, implies that the associated software and modules should be included.

Independent claim 1 is an object-oriented programming interface to perform the method

of claim 16, and is rejected under the same rationale.

Claim 2, which is dependent on claim 1, is software module comprising one software

interface to perform the method of claim 17, and is rejected under the same rationale.

Independent claim 6 is a programming application to perform the method disclosed in

claim 16, and is rejected under the same rationale.

Claim 7, which is dependent on claim 6, is a programming application to perform the

method of claim 17, and therefore is rejected under the same rationale.

Claims 3-5, 8-15, 18-20 remain rejected under 35 U.S.C. 103(a) as being unpatentable

over Syeda-Mahmood in view of Gill as applied to claim 16 above, and further in view of

Goetz et al. (US Pat No. 5,956,729, 9/21/99).

Regarding claim 18, which is dependent on claim 16, Syeda and Gill do not disclose

that the IMV is adapted to access and render multimedia code of only one type. Goetz

discloses that an application may support several instances of a particular media type

(col 3, lines 2-11).

Even though Goetz fails to mention of the code for accessing and rendering of

multimedia files, it would have been obvious to one of ordinary skill in the art at the time

of the invention was made to have included Goetz to Syeda. The fact that Goetz shows

the supporting of several instances of a particular media type implies that Goetz

includes that type of code to perform such function.

Regarding claim 19, which is dependent on claim 16, Syeda and Gill do not disclose

that the IMV is adapted to access and render multimedia code of more than one type.

Goetz discloses that the invention includes a multimedia file for organizing at least one

type of media on a computer-readable medium, such as a CD Rom, hard disk, or the

like. The multimedia file is capable of storing and identifying multiple instances of at

least one media type (col 3, lines 18-22).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have incorporated Goetz to Syeda since Goetz further provides the access

and rendering a multimedia file of at least one type, which means one type or more than

one type of media.

Regarding claim 20, which is dependent on claim 16, Syeda and Gill do not disclose

that the multimedia files stored in the data repository represent multimedia transactions,

and are characterized with tags *according to one or more of* date, time, participants, file

type; company affiliation of participants, subject or issue, and relationship to other

multimedia files.

Goetz discloses:

- multimedia files stored in the data repository represent multimedia transactions (col

  11, lines 21-38)

- file type of a multimedia file (col 11, lines 26-38)

Goetz does not explicitly disclose the tags that characterize multimedia files as claimed.

However, the MIME type in Goetz using to *specify the type* of a multimedia file. This

shows that the MIME extension included in the URL, as a tag, *characterizes the type* of

the multimedia file.

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have incorporated Goetz to Syeda to obtain details of multimedia files

stored in the repository wherein the multimedia files include multimedia transactions,

have tags for representation of information according one or more of date, time,

participant, file type, etc, in addition to the feature of accessing, rendering, and editing

multimedia files as mentioned above.

Claims 3-5 are IMV software modules to perform the method of claims 18-20, and are

rejected under the same rationale.

Claims 8-10 is a programming application to perform the method of claims 18-20, and

are rejected under the same rationale.

Independent claim 11 is for a multimedia communication center which includes the

limitations of claim 6, the storage system for recording multimedia file (rejected in claim

20), and the access interface (Syeda, col 4, lines 19-30), therefore is rejected under the

same rationale applied to these claims.

Claim 12, which is dependent on claim 11, comprising software interfaces disclosed and

rejected in claim 17 above, and is rejected under the same rationale.

Claims 13-15 is for a multimedia communication center including the IMV disclosed in

the method of claims 18-20, and therefore are rejected under the same rationale.

(11)   Response to Argument

Applicants argue that the meta-database that the Web server assembles from

structured query templates returned by individual databases 8 are not applications or

software modules included in the Interactive Multimedia Application in Appellant's

invention (Appeal Brief, page 11).

Examiner agrees that said meta-database in Syeda are not applications or software

modules.

It is true that Syeda discloses *accessing various databases and presenting* the

multimedia files stored in the database repositories via the *interactive dialogue* (col 5,

line 20 to col 6, line 42 and col 4, lines 4-30: directing queries to *relevant sites* indicates

accessing these relevant sites to fetch the responses for the queries for presenting via

interactive dialogue) as mentioned in the response in the previous office action, paper

#36. However, it is also clear that the features of accessing and presenting the

multimedia files stored in the database repositories in Syeda teach that an *Interactive*

Multimedia Application is a part of the system of Syeda.

Since Syeda has the capability of performing the functionalities of an Interactive

Multimedia Application, Syeda system does disclose the software modules for an
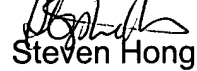
Interactive Multimedia Application.

For the above reasons, it is believed that the rejections should be sustained.
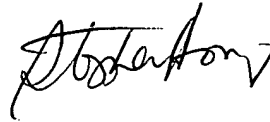
Respectfully submitted,

Cong-Lac Huynh
Examiner
Art Unit 2178

clh
November 26, 2003

Conferees

Joseph Feild

Steven Hong

STEPHEN S. HONG
PRIMARY EXAMINER

CENTRAL COAST PATENT AGENCY
PO BOX 187
AROMAS, CA 95004